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DATE: January 12, 2005

TO: Commissioner for Patents  
Attn: Examiner Nguyen, Victor X  
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Alexandria, VA 22313-1450

FROM: Glenn M. Seager

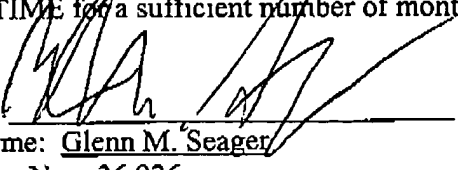
OUR REF: 1001.1351113  
TELEPHONE: 612.359.9312

Total pages, including cover letter: 2**PTO FAX NUMBER 703-872-9306**

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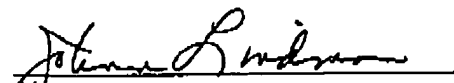
Title of Document Transmitted: Communication  
Applicant: John M.K. Daniel et al.  
Serial No.: 10/650,303  
Filed: August 28, 2003  
Group Art Unit: 3731  
Our Ref. No.: 1001.1351113  
Confirmation No. 6924  
Customer No. 28075

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Name: JoAnn Lindman

  
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1-12-05  
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## PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/650,303 Confirmation No.: 6924  
Applicant : John M.K. Daniel et al.  
Filed : August 28, 2003  
TC/A.U. : 3731  
Examiner : Nguyen, Vi X  
Title : DISTAL PROTECTION DEVICE AND METHOD  
Docket No. : 1001.1351113  
Customer No. : 28075

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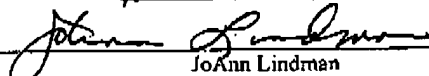
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COMMUNICATION

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE UNDER 37 C.F.R. 1.06(d): The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. 703-872-9306, on this 12<sup>th</sup> day of January 2005.

By

  
JoAnn Lindman

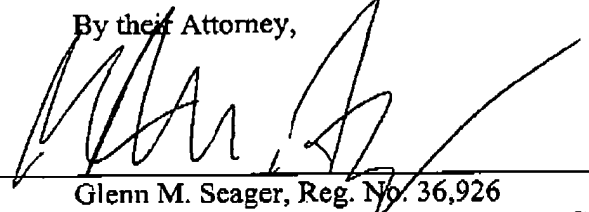
Dear Sir:

U.S. Patent No. 6,663,652, a member of the same patent family of the above-captioned application has been asserted against an infringer in the U.S. District Court, District of Minnesota. The lawsuit is captioned: SciMed Life Systems, Inc., et al. v. Guidant Corp., et al., Court File No. 04-4962 JNE/JGL.

Respectfully submitted,

JOHN M.K. DANIEL ET AL.

By their Attorney,

Date: Jan. 12, 2005  
Glenn M. Seager, Reg. No. 36,926  
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